

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

TEXAS HEALTH AND HUMAN SERVICES COMMISSION §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. 3:15-cv-3851  
§  
UNITED STATES OF AMERICA, §  
UNITED STATES DEPARTMENT §  
OF STATE, JOHN KERRY in his §  
Official Capacity as SECRETARY OF §  
STATE, UNITED STATES §  
DEPARTMENT OF HEALTH & §  
HUMAN SERVICES, §  
SYLVIA BURWELL, in her Official §  
Capacity as SECRETARY OF §  
HEALTH AND HUMAN SERVICES, §  
OFFICE OF REFUGEE §  
RESETTLEMENT, ROBERT CAREY, §  
in his Official Capacity as Director §  
of the OFFICE OF REFUGEE §  
RESETTLEMENT, and §  
INTERNATIONAL RESCUE §  
COMMITTEE, INC. §  
§  
Defendants. §

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DECLARATION OF ROBERT J. BODISCH

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My name is Robert J. Bodisch and I am over the age of 18 and fully competent to make this declaration and state the following:

1. I am the Deputy Director of Homeland Security at the Texas Department of Public Safety.

2. I have serious security concerns with the process for vetting refugees from Syria and other countries overrun by ISIS. Many refugees have no identity documents, have false documents, or claim to have none. This lack of identifying documents is less of a problem for refugees from countries like Iraq because the United States has assets on the ground in Iraq and access to the Iraqi government's files, allowing U.S. immigration officials to have at least limited access to verify the refugees' identities. It is my understanding the U.S. government has no access to Syria birth records, criminal or intelligence records, or any other identifying information. If a Syrian seeking refugee status in the United States is allied with ISIS, immigration officials have little way of discovering that information unless the U.S. databases happen to contain specific information, fingerprints, or iris scans related to the potential refugee. This problem is exacerbated by the fact that a Syrian seeking refugee status in the United States and without identification documents can give a false name to immigration officials, and the officials will be unable to discovery the falsehood. These security interviews could be improved by the use of security polygraphs, but to my knowledge such measures have not been adopted. The Director of the FBI summed up these problems when he told Congress, "we can query our database until the cows come home, but nothing will show up because we have no record of them." The Assistant Director of the FBI Counterterrorism Division expressed the same concerns, explaining that his "concern is in Syria, the lack of our footprint on the ground in Syria, that the

databases won't have information we need. So it's not that we have a lack of process, it's that there's a lack of information."

3. There is reason to believe that ISIS will exploit the refugee program, either by sending ISIS operatives to the United States or by supporting and recruiting refugees who are already in the United States. ISIS is a Sunni based terror group with a sophisticated recruitment operation, and most of the Syrian refugees are Sunnis who may be more susceptible than others to such recruitment. This year alone we have seen evidence of self-radicalization in the terror attacks in Garland, Texas, San Bernardino, California, and Paris, France. Only two days ago a Syrian-born U.S. citizen was charged with smuggling rifle scopes, night-vision goggles, and other military gear from the United States to Islamic militants in Syria. And these are only the public reports. House Homeland Security Committee Chairman Michael McCaul recently announced, "I can reveal today that the United States government has information to indicate that individuals tied to terrorist groups in Syria have already attempted to gain access to our country through the U.S. refugee program." And Senator Jeff Sessions has released a list of twelve vetted refugees who turned to jihad against the United States.

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9<sup>th</sup> day of December, 2015



Robert J. Bodisch